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U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

November 16, 2020

By ECF

The Honorable J. Paul Oetken United States District Judge Southern District of New York 40 Foley Square New York, New York 10007

Re: <u>United States v. Winnis Brito</u>,

20 Cr. 563 (JPO)

Dear Judge Oetken:

On October 28, 2020, Winnis Brito was arrested in connection with the above-captioned case. Brito is currently on parole in connection with a December 9, 2014 conviction for criminal possession of a loaded firearm in violation of New York Penal Law § 265.03(3). Because Brito's arrest in the instant case, as well as the location of his arrest, triggered parole violations that would typically result in the issuance of a parole warrant, Brito has been detained on consent since October 28, 2020. The supervisor of Brito's parole officer however, recently confirmed to both the Government and the defendant that, due to rising numbers of COVID-19, he does not intend to issue a warrant related to Brito's parole violations.

Accordingly, the Government and Brito's counsel jointly propose to the Court that Brito be released from custody on the following conditions:

- \$100,000 personal recognizance bond co-signed by 2 financially responsible persons
- Travel restricted to SDNY/EDNY and the District of New Jersey
- Surrender travel documents and no new applications
- Pretrial supervision as directed by Pretrial Services ("PTS")
- Drug testing/treatment as directed by PTS
- Curfew with electronic monitoring, with the curfew hours and electronic monitoring equipment to be determined by PTS
- Defendant not to possess a firearm, weapon, or other destructive device
- Defendant to maintain or to seek employment
- Defendant not to possess identification information of other individuals
- Defendant not to open bank accounts or apply for credit cards/other lines of credit without the approval of PTS
- Defendant is not to have contact with co-defendants except in the presence of counsel

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• Defendant to be released on his own signature with two weeks from the date of release to meet the bond's conditions

Wherefore, the parties respectfully request that Your Honor order Brito's release from custody subject to the conditions outlined above.

Respectfully submitted,

AUDREY STRAUSS Acting United States Attorney for the Southern District of New York

By: /s/
Emily A. Johnson
Kaylan E. Lasky
Ashley C. Nicolas
Assistant United States Attorneys
(212) 637-2409 / 2315 / 2467

cc: Dawn Florio, Esq. (via ECF)

Approved.

Defendant shall be released immediately. The bail conditions as stated herein are hereby imposed.

So ordered.

November 17, 2020

J. PAUL OETKEN United States District Judge